

**IN RE: MUSICAL INSTRUMENTS AND  
EQUIPMENT ANTITRUST LITIGATION**

Dwayne Wiggins v. Guitar Center, Inc., et al.,  
N.D. California, C.A. No. 3:10-631

) 09md2121-LAB(POR)  
) MDL No. 2121

**CONDITIONAL TRANSFER ORDER (CTO-3)**

On December 9, 2009, the Panel transferred three civil actions to the United States District Court for the Southern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 657 F.Supp.2d 1379 (J.P.M.L. 2009). Since that time, 19 additional actions have been transferred to the Southern District of California. With the consent of that court, all such actions have been assigned to the Honorable Larry Alan Burns.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Southern District of California and assigned to Judge Burns.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Southern District of California for the reasons stated in the order of December 9, 2009, and, with the consent of that court, assigned to the Honorable Larry Alan Burns.

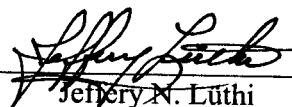
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of California. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

**Mar 29, 2010**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

I hereby attest and certify on 3/29/10  
That the foregoing document is a full, true and correct  
copy of the original on file in my office and in my legal  
custody.

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

By  Deputy

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Kathryn H. Vratil  
United States District Court  
District of Kansas

David R. Hansen  
United States Court of Appeals  
Eighth Circuit

W. Royal Furgeson, Jr.  
United States District Court  
Northern District of Texas

Frank C. Damrell, Jr.  
United States District Court  
Eastern District of California

David G. Trager  
United States District Court  
Eastern District of New York

**DIRECT REPLY TO:**

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March 29, 2010

W. Samuel Hamrick, Jr., Clerk  
4290 Edward J. Schwartz Federal Building  
880 Front Street  
San Diego, CA 92101-8900

Re: MDL No. 2121 -- IN RE: Musical Instruments and Equipment Antitrust Litigation

(See Attached CTO-3)

Dear Mr. Hamrick:

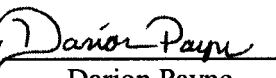
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on March 12, 2010. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 14 days to give any party an opportunity to oppose the transfer. The 14-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Darion Payne  
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Larry Alan Burns

JPML Form 36A

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EQUIPMENT ANTITRUST LITIGATION**

MDL No. 2121

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